

The following checklist and other general information are provided to assist motor carriers whose California terminals are subject to inspection by the Department of the California Highway Patrol pursuant to Vehicle Code Section 34501 or 34501.12. Any motor carrier, as defined in Vehicle Code Section 408, can improve its ability to pass such inspections by closely examining its own operations in the light of the following checklist.

ABBREVIATIONS USED ARE AS FOLLOWS:

13 CCR: Title 13, California Code of Regulations	PNP: Pull Notice Program
49 CFR: Title 49, Code of Federal Regulations	PUC: Public Utilities Commission
CHP: California Highway Patrol	VC: California Vehicle Code
CMV: Commercial Motor Vehicle	US DOT: U S Department of Transportation
DMV: Department of Motor Vehicles	

DRIVER RECORDS - NEW DRIVERS

1. Do you obtain a DMV report showing a prospective driver's current driving record prior to allowing him/her to drive a vehicle listed in VC 34500? *VC 1808.1(a)*
2. Before you use a driver, is his/her DMV driving record reviewed? *VC 1808.1(a)*
3. Is a copy of a driver's current DMV driving record signed, dated, and retained until receipt of his/her PNP record? *VC 1808.1(a)*
4. Prior to the first time a driver performs a safety-sensitive function, such as driving a CMV, is he or she tested for controlled substance use? *49 CFR 382.301*

DRIVER RECORDS - PNP

5. Are all your company's drivers enrolled in the PNP including managers, supervisors, family members, or anyone else who may at any time drive a vehicle that requires the driver to have a class A or class B driver license or any special driving certificate, or an endorsement to transport hazardous materials with a class C license? *VC 1808.1(b)) See also VC 34501.12(h)(2)(B)*
6. Do you have a current pull notice record on file for each of your drivers? *VC 1808.1(c)*
7. Have PNP records been examined to verify that each employee's driver license has not been suspended or revoked; to verify each employee's traffic violation point count; and whether any employee has been convicted of driving under the influence of alcohol or drugs? *VC 1808.1(c)*
8. Are PNP records signed and dated? *VC 1808.1(c)*
9. Have you employed or continued to employ as a driver any person for whom a disqualifying action has been taken against his/her driving privilege or required certificate? *VC 1808.1(f)*

DRIVERS' HOURS OF SERVICE RECORDS

10. Do you maintain driver timekeeping records for each of your drivers including those who only drive locally (time sheets, cards, etc.)? *13 CCR 1234(a)*
11. Are timekeeping records complete? *13 CCR 1234(a)*
12. Is the original of each driver timekeeping record retained for at least six months? *13 CCR 1234(a)*

DRIVER PROFICIENCY AND RECORDS

13. Do you require drivers to demonstrate their ability to safely operate each different type of vehicle or vehicle combination before allowing them to operate these vehicles on the highway unsupervised? *13 CCR 1229*
14. Do you maintain a record of the different types of vehicles and combinations each driver is capable of operating proficiently? *13 CCR 1234(b)*

MAINTENANCE PROGRAM AND RECORDS

15. Are your vehicles maintained in good mechanical condition? *13 CCR 1230*
16. Do you require all drivers to submit documented daily vehicle inspection reports (DVIR)? *13 CCR 1234(e)*
17. Do you require a "negative DVIR report" when no defects are found by the driver? *13 CCR 1234(e)*
18. Are DVIRs examined and defects corrected before the vehicle is operated on the highway? *13 CCR 1234(e)*
19. Do you retain DVIRs for at least three months? *13 CCR 1202.2, 49 CFR 396.11(c)(2)*
20. Is a legible copy of the last DVIR carried in the power unit of each vehicle? *49 CFR 396.11(c)(3)*
21. Are all vehicles regularly and systematically inspected, maintained, and lubricated? *13 CCR 1232(a)*

22. Do you have a means of indicating the types of inspection, maintenance, and lubrication operations to be performed on each of your vehicles and does that means include the date or mileage when these operations are due?
13 CCR 1232(a)

INSPECTION, MAINTENANCE, LUBRICATION, AND REPAIR RECORDS

23. Do you document each inspection, maintenance, lubrication, and repair performed for each vehicle under your control? 13 CCR 1234(f)
24. Are all maintenance records kept current and available for inspection? 13 CCR 1234(f)
25. Are maintenance records retained for at least one year? 13 CCR 1234(f)
26. Do maintenance records include: 13 CCR 1234(f)
- (a) Identification of the vehicle including, make, model, license number, or other means of positive identification?
 - (b) Date or mileage and nature of each inspection, maintenance, lubrication, and repair performed?
 - (c) The inspection, maintenance, and lubrication intervals?
 - (d) The name of the lessor or contractor furnishing any vehicle?

CARRIER-PERFORMED INSPECTIONS

(Questions 72 through 76 apply to truck operators only)

27. Do you perform a safety inspection at least every 90 days on each truck, tractor, trailer, and dolly? VC 34505.5(a)
28. Do your 90-day safety inspections include at least the following: VC 34505.5(a)
- (a) Brake adjustment?
 - (b) Brake system components and leaks?
 - (c) Steering and suspension systems?
 - (d) Tires and wheels?
 - (e) Vehicle connecting devices (fifth wheels, kingpins, pintle hooks, drawbars, chains, etc.)?
29. Are defects which are noted during 90-day inspections corrected prior to operating the vehicle on the highway?
VC 34505.5(b)
30. Do 90-day inspection records include: VC 34505.5(c)
- (a) Identification of the vehicle including, make, model, license number, company vehicle number or other means of positive identification?
 - (b) Date and nature of each inspection and repair performed?
 - (c) The signature of your authorized representative attesting to the inspection and to the completion of all required repairs?
31. Are these inspection records retained for at least two years? VC 34505.5(c)

(Questions 77 through 80 apply to Tour Bus operators only)

32. Do you perform a safety inspection at least every 45 days on each tour bus? VC 34505(a)
33. Do your 45-day safety inspections include at least the following: VC 34505(a)
- (a) Brake adjustment?
 - (b) Brake system components and leaks?
 - (c) Steering and suspension systems?
 - (d) Tires and wheels?
34. Are defects which are noted during 45-day inspections corrected prior to operating the tour bus on the highway?
VC 34505(b)
35. Do 45-day inspection records include: VC 34505(c)
- (a) Identification of the vehicle including, make, model, license number, or other means of positive identification?
 - (b) Date and nature of each inspection and repair performed?
 - (c) The signature of your authorized representative attesting to the inspection and to the completion of all required repairs?
36. Are these inspection records retained for at least one year? VC 34505(c)

VEHICLE IDENTIFICATION

37. Does each vehicle or combination of vehicles display the company name on both sides in characters clearly legible from a distance of 50 feet? 13 CCR 1256
38. Do your vehicles display a valid operating authority, motor carrier permit, or identification number? VC 34507.5(b)(1)
39. Are identification numbers removed before sale, transfer, or other disposal of a vehicle? VC 34507.5(b)(3)

HAZARDOUS MATERIALS HANDLING PROCEDURES

40. If you transport hazardous materials or hazardous waste, do you ensure that you only transport shipments that are in compliance with regulations contained in Title 49, Code of Federal Regulations (49 CFR) Parts 100 to 178, covering the following requirements?

- (a) Packaging, selection, and proper use of specification containers. 13 CCR 1163, 49 CFR 173.24
- (b) Marking and placement of required markings on packages and containers. 13 CCR 1161.3, 49 CFR 172.300
- (c) Proper labeling of packaging and containers. 13 CCR 1161.2, 49 CFR 172.400
- (d) Proper placarding of vehicles or containers. 13 CCR 1162, 49 CFR 172.500
- (e) Shipping papers including, proper entries, sequence of entries; legibility of shipper's certification when required; shipping paper retention as required; availability in transport vehicles? 13 CCR 1161, 49 CFR 172.200
- (f) Loading compatibility, load securement, protection from weather? 13 CCR 1164, 49 CFR Part 177
- (g) Spill reports submitted as required; copies retained at terminal? 13 CCR 1166, 49 CFR Part 171

SATISFACTORY RATED TERMINALS

A terminal rated **satisfactory** is one that is in compliance with applicable laws and regulations. Minor deficiencies or defects which could have developed in normal operation despite a thorough and frequent preventive maintenance program will not preclude assignment of a satisfactory terminal rating. Criteria for assignment of a satisfactory rating include:

- A. Vehicle/equipment condition reflects effective preventive maintenance practices, and shows that the motor carrier follows a well-defined program for scheduled maintenance.
- B. Vehicle records reflect compliance with applicable mandated inspection intervals; clearly identify inspection, service, and lubrication intervals; document services and repairs performed; and are consistent with the actual condition of the vehicles, not just "paper maintenance."
- C. Drivers' daily vehicle inspections are performed and the findings are documented. Defects noted are corrected promptly.
- D. Vehicles are not operated with out-of-service conditions or defects of a long-standing nature.
- E. Drivers' timekeeping records are in use and are current. Records are retained for at least the minimum time required.
- F. Drivers comply with hours of service limits established by state and federal law, as applicable.
- G. Drivers' timekeeping records truthfully reflect driver's actual hours of service.
- H. Records reflect compliance with Vehicle Code requirements with respect to the PNP.
- I. Drivers are tested for alcohol and controlled substance use in the manner specified by federal regulations.
- J. Alcohol and controlled substance testing records are kept as required, summary is produced upon request as required, and records are made available for inspection as required.
- K. Required driver proficiency records are on file.

UNSATISFACTORY RATED TERMINALS

A terminal rated **unsatisfactory** is one showing evidence of widespread noncompliance with significantly declining compliance with, or disregard of statutory or regulatory requirements. An unsatisfactory rating will be assigned for any condition described in (A) through (I) below, or for two or more conditions described in (J) through (M) below:

- A. Vehicle or equipment violations of a deliberate or long-standing nature.
- B. More than 20% of inspected vehicles are placed out-of-service.
- C. No maintenance records on file.
- D. Drivers' timekeeping records or other evidence reveals consistent hours of service violations.
- E. Falsified drivers' timekeeping records.
- F. Drivers' timekeeping records not on file as required.
- G. Some or all drivers are not enrolled in the PNP.
- H. Drivers are not tested for alcohol and controlled substance use in the manner specified by federal regulations
- I. Alcohol and controlled substance testing records are not kept as required, summary is not produced upon request as required, or records are not made available for inspection as required.
- J. Evidence of willful disregard of statutory or regulatory requirements.
- K. Lack of compliance with hazardous materials transportation requirements which could jeopardize public or environmental safety, or hinder prompt action by emergency response personnel.
- L. Maintenance program discrepancies as follows:
 - (1) Violations generally spread over all vehicles which by their nature should have been detected and corrected under an effective inspection and maintenance program.
 - (2) Maintenance records that are not current.
 - (3) Maintenance record entries that are not consistent with vehicle condition, revealing "paper maintenance".
 - (4) Inspection or maintenance that is not performed as scheduled.
 - (5) Vehicle defects that are not promptly corrected.
 - (6) Vehicle repairs that are not properly recorded.
- M. Driver records discrepancies as follows:
 - (1) Driver records that are not current.

- (2) Driver records that are not on file for the required retention period.
- (3) Improperly prepared drivers' records.

CONDITIONAL RATED TERMINALS

A terminal rated **conditional** is one in which the terminal's compliance is no longer manifestly unsatisfactory, but full compliance has not been demonstrated. In this case, the CHP will return for a follow-up inspection in approximately six months to assign a rating. The new rating will not be conditional; it will be either satisfactory or unsatisfactory. Under certain circumstances when reinspecting a terminal which had been previously assigned an unsatisfactory rating, the CHP is unable to determine that all required corrections have been accomplished by the motor carrier. An example would be a terminal which had received an unsatisfactory rating for excessive drivers' hours of service, and as a result the PUC or DMV had suspended the motor carrier's operating authority or motor carrier permit for a period of time. During the suspension, the carrier could not lawfully operate any of its vehicles, and therefore could not demonstrate compliance with laws and regulations governing drivers' hours of service. Under such circumstances, if all other compliance failures at that terminal had been corrected by the carrier, the CHP will normally assign a conditional rating to that terminal.

ABOUT THIS CHECKLIST

This checklist, while detailed, cannot list all possible items where compliance with law or regulation could be an issue, nor can it explore all possible applications of CHP policy in the assignment of ratings. A motor carrier who examines his or her operations using this checklist as a guide can identify areas where compliance may be weak, and take action to improve those areas. Some of these items may not apply to every type of carrier. Laws and regulations change over time, and staying current with these changes is one of the keys to success for anyone who operates or directs the operation of commercial vehicles. This checklist is not law; it is intended only to assist motor carriers in achieving success in the area of highway safety. It does not bind the CHP to a particular determination regarding the compliance of any motor carrier with laws and regulations in existence at any given moment. Any conflict between this checklist and a law or regulation, or future change in CHP policy, will be resolved in favor of the law, regulation, or policy. This checklist will be revised to reflect significant changes in these areas as soon as possible after they occur.

CHP MOTOR CARRIER SAFETY UNITS

Questions may be directed to any of the Motor Carrier Safety Units listed below.

Northern Division

2485 Sonoma Street
Redding CA 96001-3026
(530) 225-2715
(530) 246-1264 (Fax)

Southern Division

437 North Vermont Avenue
Los Angeles, CA 90004-3590
(323) 644-9557
(323) 953-4827 (Fax)

Valley Division

11336 Trade Center Drive
P.O. Box 640
Rancho Cordova, CA 95741-0640
(916) 464-2090
(916) 464-2097 (Fax)

Border Division

9330 Farnham Street
San Diego, CA 92123-1284
(858) 637-7158
(858) 637-7159 (Fax)

Golden Gate Division

1551 Benicia Road
Vallejo, CA 94591-7568
(707) 648-4180
(707) 649-4766 (Fax)

Coastal Division

4115 Broad Street, Suite B-10
San Luis Obispo, CA 93401-7963
(805) 549-3261
(805) 541-2871 (Fax)

Central Division

4771 West Jacquelyn Avenue
Fresno, CA 93722-6406
(559) 445-6992
(559) 276-9449 (Fax)

Inland Division

847 East Brier Drive
San Bernardino, CA 92408-2820
(909) 383-4811
(909) 888-4228 (Fax)